

1 DAYLE ELIESON  
2 United States Attorney  
3 KEVIN D. SCHIFF  
4 Assistant United States Attorney  
5 501 Las Vegas Blvd. South, Suite 1100  
Las Vegas, Nevada 89101  
(702) 388-6503  
Kevin.Schiff@usdoj.gov  
6 *Attorneys for the United States*

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8 **UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

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10 UNITED STATES OF AMERICA,

11 2:18-cr-365-KJD-PAL

12 Plaintiff,

vs.

13 **MOTION TO AMEND**  
**SCRIVENER'S ERROR**  
**INDICTMENT AND ARREST**  
**WARRANT**

14 BRYAN RAY,

15 Defendant.

16 COMES NOW the United States of America, by and through DAYLE  
17 ELIESON, United States Attorney, and Kevin Schiff, Assistant United States Attorney,  
18 respectfully move that the Indictment and Warrant issued in this matter on November 13,  
19 2018 be amended to correct a scrivener's error. Specifically the Defendant's name was  
20 transposed in the current Indictment and all subsequent documentation to be "Ray Bryan."  
The Defendant's correct name is **Bryan Ray**. Such amendment does not substantively  
modify any charge in the Indictment and only corrects a typographical error causing no  
prejudice to the Defendant. *See United States v. Lim*, 984 F.2d 331, 337 (9th Cir. 1993).

Further, such correction will allow law enforcement to correctly input the arrest warrant into the appropriate databases to effect the warrant, and ensure the correct person is brought before the Court to answer to the Indictment.

DATED this 17th day of December, 2018.

DAYLE ELIESON  
United States Attorney

/s/ Kevin Schiff  
Kevin Schiff  
Assistant United States Attorney

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

UNITED STATES OF AMERICA, )  
Plaintiff, ) 2:18-cr-365-KJD-PAL  
vs. )  
BRYAN RAY )  
Defendant. ) **ORDER TO AMEND INDICTMENT,  
WARRANT, CAPTION & ALL  
SUBSEQUENT DOCUMENTATION**

## I. FINDINGS OF FACT & CONCLUSIONS OF LAW

Based on the Government's Motion to Amend Scrivener's Error Indictment and Warrant, the Court finds:

1. The Indictment issued November 13, 2018 in this matter contains a Scrivener's error naming the Defendant as Ray Bryan: the Defendant's correct name is Bryan Ray;
2. This error in the Indictment is typographical, and;
3. Amending such typographical error does not substantively change any charge alleged in the Indictment, nor does such amendment prejudice the Defendant.

## II. ORDERS

IT IS ORDERED that the Indictment in this matter is amended in both the caption and all charges therein to reflect the Defendant's correct name is Bryan Ray. All subsequent

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1 documentation generated as a result of this error, including the issued arrest warrant, are also  
2 amended to correct this typographical error.

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4 IT IS SO ORDERED:

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6 UNITED STATES MAGISTRATE JUDGE

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10 DATED: December 17, 2018

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